

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:06CR3038
)	
v.)	
)	
MCARTHUR JOHNVELL HIGGINS,)	ORDER SETTING BRIEFING SCHEDULE
)	
Defendant.)	
_____)	

Pending before this court is a Title 18, U.S.C. § 3582(c) motion to reduce sentence pursuant to crack cocaine Amendment 706, filing 70. The office of the Federal Public Defender has been appointed to represent the defendant McArthur Johnvell Higgins, the U.S. Probation Office has provided to the court a Retroactive Sentencing Worksheet, and defense counsel in his letter dated October 20, 2008, has requested a briefing schedule, to explain why a sentence lower than 75 months is appropriate.

IT THEREFORE IS ORDERED that:

1. the defendant's counsel shall on or before November 24, 2008, file and serve his brief regarding why a sentence lower than 75 months may be appropriate; and
2. the government's counsel shall on or before December 8, 2008, file and serve its response.

Dated October 21, 2008.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge